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ABSTRACT

This theme issue of the newsletter provides an analysis of faculty union organizing and agent elections involving the American Association of University Professors, the National Education Association, and the American Federation of Teachers and their local affiliates. Activity levels of independent unions, "no-agent" elections, decertification, legislation enacted and strikes are also reported. Additional demographic information and analysis are presented as part of an ongoing project to develop a directory of institutions and their status with relationship to collective bargaining. A large table presents a summary of all the elections held in 1991 noting agents elected, change in agent status, no-agent votes and first contracts signed. A conclusion notes that the three national faculty unions appear to be concentrating on membership services and not attempting to organize new faculty units due to lack of enabling legislation and the financial crises facing higher education. It goes on to note that most organizing efforts are directed at public sector institutions and that the defeat of a coalition at the University of Pittsburgh (Pennsylvania) marked the end of a long organizing effort at that institution. Tables and graphs present trends in faculty bargaining agents and collective bargaining agreements. (JB)

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Unionization Among College Faculty-1992

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INTRODUCTION

Minimal increases were reported in most categories of faculty unionization, however, these are attributable primarily to a more developed reporting process as contrasted with the addition of newly certified bargaining units. Organizing activity and representation elections were infrequent with minimal gains cited in this period of financial crisis. Faculty unions appear to be concentrating on delivery of services to existing members rather than an attempt at organizing new institutions. Only two units of full-time faculty, Butler County Community College and Sussex County Community College, were certified during the past year. No unit consisting of full-time faculty at a four-year institution was elected.

Inter-union rivalry may have lessened; however, there are still instances where both AFT and NEA went head-to-head against each other to secure bargaining rights for previously organized faculty. These occurred in two "Change in Agent Status" elections.

With the exception of Edward Waters College, no organizing drives were reported at any private institutions.

The number of faculty represented by collective bargaining agreements is now estimated at 228,856. This is an increase of nearly 2% over the previous year. This addition of approximately 4,000 occurred in the public sector and is attributable primarily to improved reporting procedures not increased organizing activity.

AGENTS ELECTED

Seven representation elections were held for previously unorganized faculty bargaining units. Agents were elected at three of these colleges, Butler Community College, Sussex Community College and the Vermont State College System. At two other colleges, the University of Pittsburgh and SIU-Edwardsville, "No-Agent" defeated bargaining agents. Four agent representation elections were held for units of full-time faculty. In Pennsylvania, the faculty at Butler County Community College, a unit of 137, elected to be represented by the NEA affiliate, while in New Jersey, at Sussex County Community College, AFT secured bargaining rights for a unit of 19. The results at two institutions, the University of Toledo and Edward Waters College, are still under appeal and being litigated. At Toledo, the Ohio State Employment Relations Board impounded 269 votes cast for the AAUP and 261 votes for "No-Agent". At Edward Waters College, the NLRB impounded 20 votes cast for the AAUP and 20 votes for "No-Agent". For purposes of this Directory, both elections are tabulated as "no decisions".

In elections involving units of other than full-time teaching faculty, the AFT won bargaining rights for a unit of 645 teaching assistants at the University of Wisconsin-Milwaukee and for a unit of 69 adjunct faculty at the Vermont State College System.

AAUP

The AAUP was involved in three bargaining unit election votes. In two of these, University of Toledo and Edward Waters College, Florida, the votes were impounded by administrative agencies and the matters are still under consideration. The bargaining unit at the University of Toledo consists of 600 faculty. The unit at Edward Waters is 50. At the University of Pittsburgh, an AAUP/AFT coalition was defeated by "No-Agent" by a vote of 1,243 to 719.

The AAUP and their affiliates, including dual affiliations represent faculty at 56 colleges and universities. This includes 35 public and 21 private institutions. Of these, 49 are four-year colleges and 7 are two-year institutions.

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AFT

The AFT was involved in seven bargaining agent elections and successful in five. At Sussex County Community College, New Jersey, the AFT defeated "No-Agent" by a vote of 16-2 for a unit of 19. At the University of Wisconsin, Milwaukee, AFT defeated No-Agent by a vote of 221-61 for a unit of 645 teaching assistants. In the Vermont State College System, AFT won bargaining rights for a unit of 69 adjunct faculty members, defeating "No-Agent" by a vote of 56-13. At Butler County Community College, the AFT was defeated by the NEA affiliate for representation rights for a unit of 137 faculty.

In two "Change in Agent Status" elections, the AFT acquired bargaining rights from peviously repesented NEA affiliates. At Kaskaskia College, the AFT defeated the IEA/NEA affiliate by a vote of 47-10 for a unit of 66. The NEA had represented Kaskaskia since 1984. At St. Charles County Community College, the AFT gained bargaining rights from the NEA by a vote of 34-2 for a unit of 50. At the University of Pittsburgh, an AAUP/AFT coalition was defeated for bargaining rights by "No-Agent" by a vote of 1,243-719.

The AFT and their affiliates, including dual affiliations, represent faculty at 153 colleges and universities. This includes 129 public and 24 private institutions. Of these, 47 are four-year colleges and 106 are two-year institutions.

NEA

NEA and their affiliates were involved in five bargaining unit elections and successful in two. At Butler County Community College, the PSEA/NEA defeated AFT and "No-Agent" by a vote of 63-38-13 for bargaining unit rights for a unit of 137.

In a "Change in Agent Status" election, the NEA affiliate defeated Independent for a unit of 55 faculty at Dodge City Community College. At two colleges in which the NEA had previously secured bargaining rights, they were unable to defeat successful AFT challenges. At Kaskaskia College, the NEA affiliate lost bargaining rights to the AFT for a unit of 66 faculty. At St. Charles County Community College, the NEA affiliate was defeated by the AFT for a unit of 50.

In an attempt to organize the 420 person faculty unit at SIU-Edwardsville, "No-Agent" defeated IEA/NEA, 197-145.

The NEA and their affiliates, including dual affiliations, represent faculty at 222 colleges and universities. This includes 210 public and 12 private institutions. Of these, 33 are four-year colleges and 189 are two-year institutions.

INDEPENDENT

Independents were involved in only one bargaining agent election in 1991. In a "Change in Agent Status" election at Dodge City Community College, Ind. was defeated by KEA/NEA by a vote of 30-0 for a bargaining unit of 55.

Independent agents, including affiliations with national unions, represent faculty at 51 colleges and universities. This includes 39 public and 12 private institutions. Of these, 16 are four-year colleges and 35 are two-year institutions.

DECERTIFICATIONS

There were no reported faculty bargaining agent decertifications in 1991.

STRIKES

Strikes were reported at three institutions -- Carl Sandburg College (IL), the University of Bridgeport and the University of Massachusetts.

The strike at Bridgeport began in September of 1990 and is still ongoing. Although many of the striking faculty have been replaced, there are those who have vowed to continue their activities until their objectives are met. This strike has involved substantial litigation and related court activities. The issue of severance pay and unemployment compensation for striking faculty are two of the contested issues. As of this writing, the faculty union is still recognized as the certified bargaining agent although the future of any collective bargaining relationship at Bridgeport remains in doubt.

At the University of Massachusetts at Amherst, a non-board certified unit of graduate student employees engaged in a two-day work stoppage.

The faculty at Carl Sandburg College were involved in a seven-day work stoppage.

LEGISLATION

No higher education collective bargaining legislation was enacted during 1991. Public sector

collective bargaining legislation that would include faculty was discussed in several states including Nevada and New Mexico. For a complete listing of all faculty collective bargaining legislation, see Directory, Table No. 15.

FIRST CONTRACT SIGNED

There were six "first contracts" signed in 1991. A time lag exists from the date of bargaining agent certification until ratification of the initial Agreement. With respect to the institutions listed below, it should be noted that at the University of Nebraska-Kearney, the faculty unit was first organized in 1976 and signed their initial Agreement at that time. In 1990, the college was subsequently reconstituted as part of the university of Nebraska. That is why it appears as an initial contract.

Although difficult to quantify, it appears that the time period from the initial union organizing drive to bargaining agent certification and subsequently to initial contract ratification appears to be lessening. The following institutions and bargaining agents signed their initial agreements in 1991:

Central Ohio Tech. College, AFT - Unit [41] - Organized 1990

Flathead Valley Comm. Coll., AFT - Unit [238] - Organized 1990

Mass. Community College, NEA/MTA - Unit [1800] - Organized 1987

Rutgers State Univ. (Adjuncts), AAUP - Unit [450] - Organized 1988

Sussex Co. Comm. College, AFT - Unit [19] - Organized 1991

Univ. of Nebraska-Kearney, NEA - Unit [315] - Organized 1990

DEMOGRAPHIC ANALYSIS

Each year, the Center attempts to determine the number of college faculty and institutions represented by certified collective bargaining agents. While we believe that the total number of faculty reported, 228,856, is reasonably accurate, several compilation issues should be noted. Listed below are problems that we believe are endemic to our task and which should be considered when accessing this data:

1. Collective bargaining units are identified by title and/or classification and not according to number of employees involved. For example, a bargaining unit certificate will state that all instructors are to be included without specifying an exact number. Therefore, there is no way of knowing the exact unit size without an up-to-date semester accounting by each institution.

2. The number of adjunct faculty is enrollment driven and as a result, widespread fluctuations may occur in any given semester. Since many units are comprised of full-time and adjunct faculty, therefore, without constant revision there is no one number that is valid for each semester.

3. There is no one generally accepted number of teaching faculty in the United States. While several agencies attempt to tabulate this information, substantial time lags exist between data gathering and publication.

While the National Center makes every reasonable effort to ensure the accuracy of our information, we are constantly surprised that there are unionized colleges for which we have no data. This volume of the Directory includes several institutions which were heretofore organized but did not appear in prior editions. During the past year, we identified six technical colleges in the state of Washington that we had previously omitted -- Bates T.C., Bellingham T.C., Renton T.C., Lake Washington T.C., Cornish College of the Arts and Clover Park T.C. In Illinois, there were three community colleges that we had not included -- Elgin C.C., Lincoln Land C.C., and Richland C.C. Approximately five other community colleges which had engaged in collective bargaining prior to 1991 are reported in this Directory for the first time.

The reduction in total campus count reflects an adjustment in tabulation methodology. In an attempt to reduce duplication, on campuses where an agent represents more than one unit, the campus count reflects a single entity. For example, Rutgers State University of New Jersey has three campuses with two separate AAUP units. The campus count reflects this by crediting AAUP with three campuses and not six.

The number of reported Independent Agents increased from 41 to 51. This is accounted for by the fact that several agents that were previously listed as "Other", i.e., SFAIFU, ELIFA, PAE, ACE, and IFO, are now classified as Independents.

SUMMARY OF ELECTIONS - 1991

A. AGENTS ELECTED

Institution	State	Unit Size	Vote		Agent Elected	2/4 Year College
Butler County Community College	PA	137	PSEA/NEA AFT N-Agt	63 38 13	PSEA/NEA	2
*Edward Waters College	FL	50	AAUP N-Agt Challen.	20 20 8	Results pending before NLRB	4
Sussex County Community College	NJ	19	AFT N-Agt	16 2	AFT	2
University of Toledo	OH	600	AAUP N-Agt Challen.	269 261 17	Results pending before Ohio SERB	4
Univ. of Wisconsin-Milwaukee Teaching Assistants	WI	645	AFT N-Agt	221 61	AFT	4
Vermont State Colleges-Adjunct Faculty	VT	69	AFT N-Agt	56 13	AFT	4

B. CHANGE IN AGENT STATUS

Institution	State	Unit Size	Vote		New Agent	Former Agent	2/4 Year College
Dodge City Community College	KS	55	KEA/NEA Ind.	30 0	KEA/NEA	Ind.	2
Kaskaskia College	IL	66	AFT IEA/NEA	47 10	AFT	IEA/NEA	2
St. Charles County Comm. College	MO	50	AFT NEA	34 2	AFT	NEA	2

C. CHALLENGE TO AGENT STATUS

No reported challenges to agent status reported.

D. AGENTS DECERTIFIED

No reported faculty agent decertifications in 1991.

E. NO-AGENT VOTES

Institution	State	Unit Size	Vote	Agent Defeated	2/4 Year College
Southern Illinois Univ.-Edwardsville	IL	420	N-Agt 197 IEA/ NEA 145	IEA/NEA	4
University of Pittsburgh	PA	2,420	N-Agt 1,243 AAUP/ AFT 719	AAUP/AFT	4

F. FIRST CONTRACTS SIGNED

Institution	State	Unit Size	Agent	Contract Expiration	2/4 Year College
Central Ohio Technical College	OH	41	AFT	12/31/92	2
Flathead Valley Community College Part-time Unit	MT	238	AFT	6/30/93	2
Massachusetts Community College System - Div. of Continuing Ed.	MA	1,800	NEA/MTA/MCCC	8/20/93	2
Rutgers State Univ. of NJ Part-Time Unit	NJ	450	AAUP	1994	4
Sussex County Community College	NJ	19	AFT	5/31/92	2
Univ. of Nebraska-Kearney	NE	315	UNKEA/NEA	6/30/93	4

SUMMARY AND CONCLUSIONS

Absent any new enabling legislation and in light of the financial crises confronting higher education, the three national faculty unions appear to be concentrating on membership services and not attempting to organize new faculty units. Arguably, it may also be said that most faculty that have expressed an interest in unionization have been organized, and unless any new legislation is forthcoming, the status quo will prevail. The number of new faculty units organized this year is among the lowest it has been since NCSCBHEP began keeping statistics in 1976. Set forth below are three tables reflecting various aspects of the growth of CBHE.

Organizing efforts are almost totally directed at public sector institutions. As we have previously noted, CBHE remains almost exclusively a public sector phenomenon as the number of organized faculty at private institutions remains below 10,000.

The defeat of the AAUP/AFT coalition at the University of Pittsburgh apparently marks the end of a long organizing effort at that institution. One of the more memorable aspects of that drive was the initial successful application of the Yeshiva doctrine to public sector faculty. Although the Pennsylvania Labor Relations Board reversed the Yeshiva application set forth by one of their hearing officers and found the faculty to be nonmanagerial and entitled to bargain pursuant to the Pennsylvania statute, the time and resources spent by the faculty unions in defeating the legal challenge to representation may have had an adverse impact on organizing.

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TABLE ONE
FACULTY COLLECTIVE BARGAINING ELECTIONS
"NO-AGENT" vs. "PRO-AGENT" VOTES
1965 - 1991

Year	"No-Agent" Votes	Agents Elected	% "No-Agent" Votes
1965 - '74	41	218	16%
'75	20	40	33%
'76	13	46	22%
'77	14	33	30%
'78	8	19	30%
'79	7	22	24%
'80	10	13	43%
'81	2	5	29%
'82	7	9	44%
'83	4	1	80%
'84	1	6	14%
'85	4	12	25%
'86	3	10	23%
'87	2	4	33%
'88	8	6	57%
'89	6	4	60%
'90	1	8	11%
'91	2	3	40%
TOTAL	153	459	25%

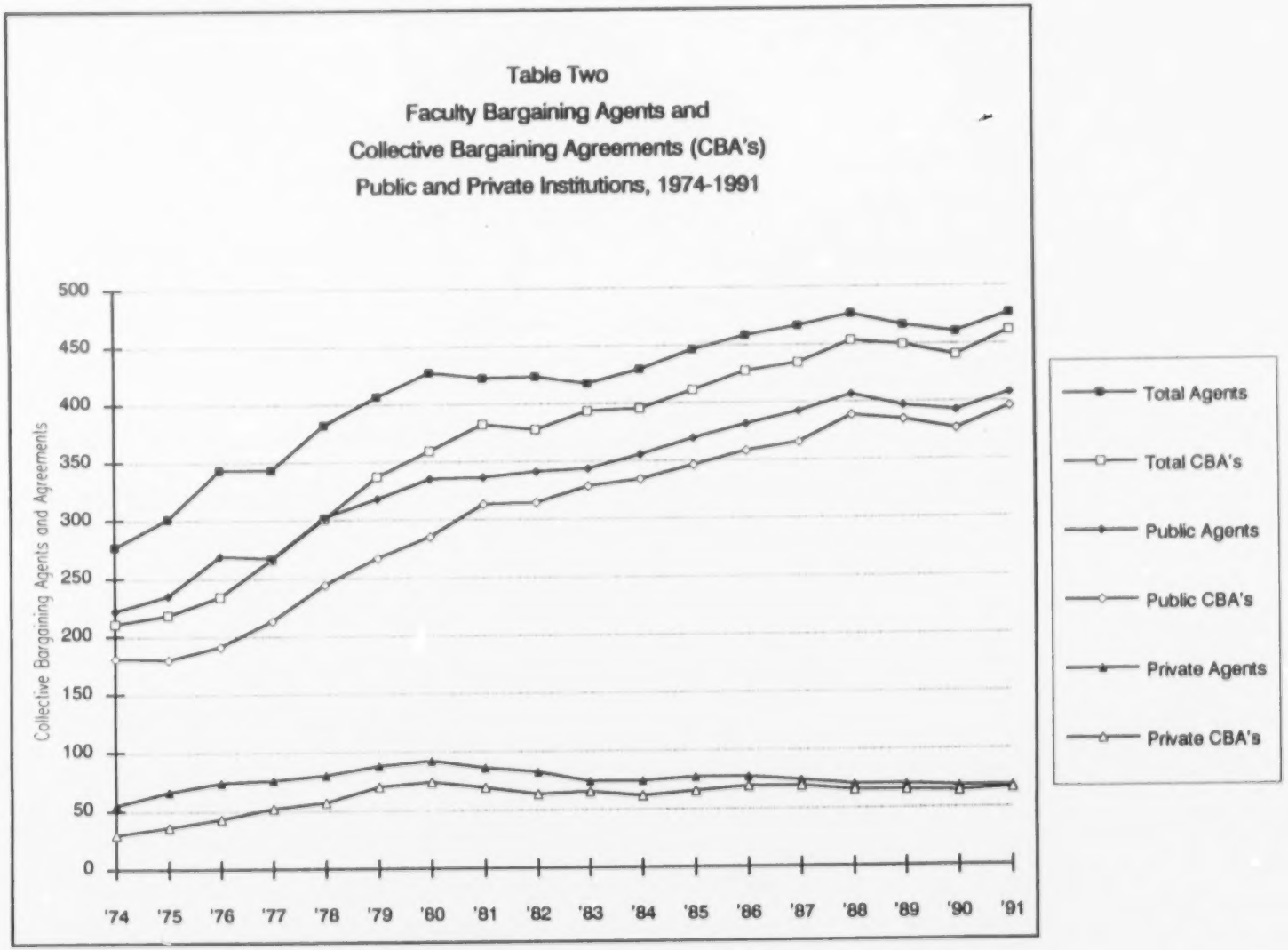
Source: NCSCBHEP

Table Two

Faculty Bargaining Agents and

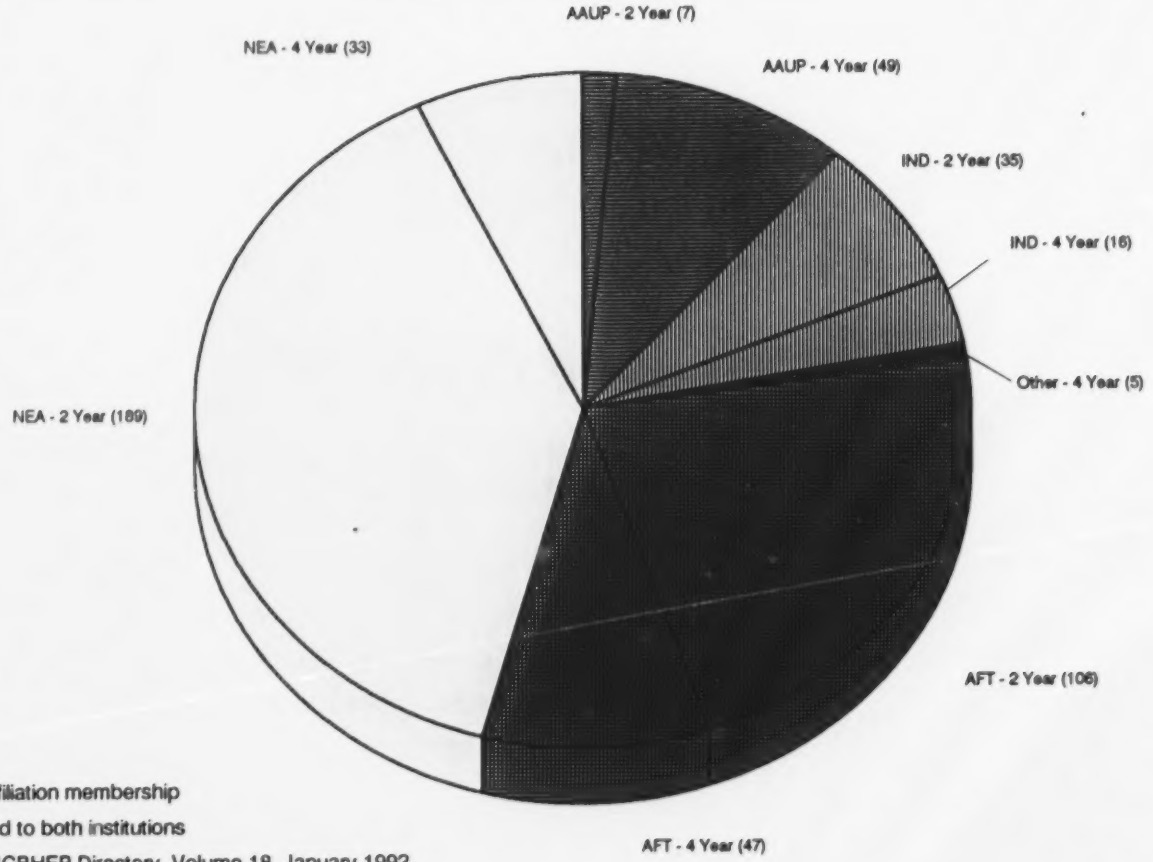
Collective Bargaining Agreements (CBA's)

Public and Private Institutions, 1974-1991



Source: NCSCBHEP Directory, Volume 18, January 1992

Table Three
Recognized Faculty Bargaining Agents
in Two- and Four-Year Institutions, 1992



Dual agent affiliation membership
status credited to both institutions
Source: NCSCBHEP Directory, Volume 18, January 1992